

§ 112-50.1 Office Park Employment District (OPE).

[Added 2-1-2016 by Ord. No. 2015-22]

A.

Purpose. The Office Park Employment District zoning is established to provide for advanced employment opportunities related to professional business-, education-, health-, and science-oriented applications, which may include associated light fabrication and assembly operations, in addition to professional or business offices. The combined opportunities shall be available within a planned employment center environment and generally arranged in a business park, office park, or campus-style setting. Buildings shall be designed and constructed with high-quality architectural aesthetics, taking into account the characteristics of the Office Park Employment District, surrounding area, and overall character of the Town. All permitted uses shall be conducted wholly within enclosed buildings and shall minimize adverse impact on the use and enjoyment of surrounding properties.

B.

Principal permitted uses shall be as follows:

(1)

Research, testing, analytical and product development laboratories and pilot plant facilities not involving the manufacturing, sale, processing, warehousing, distribution or fabrication of material, products or goods, except as incidental to the principal permitted uses. Biomedical technology facilities and laboratories shall be rated at a biosafety level 2 (BSL-2), as defined by the OSHA and the American Biological Safety Association Alliance.

(2)

Light manufacturing associated with such specialty industry groupings as aerospace, computer science, telecommunications, instrumentation, biomedicine, (BSL-2), medical, energy, pharmaceutical, electronics, transportation (parts and accessories), agriculture, economics, biology, and environmental science.

(3)

Light manufacturing, fabrication, production, testing, repair, sale or resale of materials, goods and products incidental to the principal use and located on the same lot as the principal use.

(4)

Computer and data processing service center/call centers.

(5)

Hotels with conference centers.

(6)

General business, corporate, administrative, educational, medical, professional and government offices.

(7)

Radio and television broadcasting facilities and studios without antennas or towers.

(8)

Office, computing, and accounting machine sales, rental and service establishments (but not to include large or industrial machinery repair).

(9)

Hospitals and other health care facilities, including immediate care facilities.

(10)

Restaurants 3,500 square feet or larger.

(11)

Schools, including trade or technical schools and colleges and universities.

(12)

Workforce amenities.

(a)

As an accessory use only, workforce amenities incidental to the principal building use serving primarily employees and guests of the principal use, which shall include but not be limited to the following uses:

[1]

Day-care facilities, to include outdoor play area.

[2]

Cafeterias.

[3]

Banks, savings and loan associations.

[4]

Health clubs.

[5]

Classroom and training facilities.

[6]

Convenience stores up to 2,500 square feet; hours limited to 6:00 a.m. to 10:00 p.m.

[7]

Delicatessens up to 1,500 square feet but without alcohol or tobacco sales.

(b)

However, with respect to the uses set forth in Subsection **B(12)(a)[1]** through **[7]** above, with the exception of the outdoor play area in Subsection **B(12)(a)[1]** above, there shall be no external evidence of such use, with the exception of directional signage.

(13)

Uses incidental and subordinate to the office park as a whole, which may include sales and services for employees and visitors, as follows:

(a)

Stand-alone delicatessens up to 1,500 square feet but without alcohol or tobacco sales.

(b)

Stand-alone day-care facilities, to include outdoor play area.

(14)

Build-to-suit/speculative buildings.

(15)

Municipal, recreational and cultural uses.

C.

Special uses in OPE District. The Board of Appeals may authorize the following principal uses as special exceptions in accordance with the provisions of Article VIII, § 112-62:

(1)

Bulk storage of oil, petroleum, gasoline and similar flammable liquids and compressed gasses for the purposes of on-site use only and in full compliance with § 112-13 as relates to industrial and commercial districts and subject to the general standards set forth in § 112-62E.

(2)

Metal production or fabrication, including coating, enameling, galvanizing, and plating as a manufacturing-related activity so long as operated in accordance with environmental and other applicable laws and regulations and subject to the general standards set forth in § 112-62E.

(3)

Stand-alone convenience stores up to 2,500 square feet but with hours limited to 6:00 a.m. to 10:00 p.m., and subject to the general standards set forth in § 112-62E.

§ 112-50.2**Required lot area, lot width and yards.**

[Added 2-1-2016 by Ord. No. 2015-22]

A.

Lot area, lot width and yards in the OPE District shall comply with the following:

	Minimum Lot Area (acres)	Minimum Lot Width (feet)	Front Yard (depth-feet)	Side Yard (feet)	Rear Yard (feet)
OPE District Uses	1	100	40	25	40

B.

Parking is permitted in the yard area, provided that in the case of front yards, parking must be set back a distance equal to at least 1/2 the yard requirement. In no case shall parking or driveways be permitted within 10 feet of the side property line.

C.

Whenever an OPE District abuts a residential district, there shall be a minimum fifty-foot buffer yard area, without any parking permitted.

§ 112-50.3**Building height regulation.**

[Added 2-1-2016 by Ord. No. 2015-22]

No building in the OPE District shall exceed three stories or 35 feet in height with the exception of hotels with conference centers, which may be up to five stories or 55 feet in height.

§ 112-50.4**Off-street parking and loading.**

[Added 2-1-2016 by Ord. No. 2015-22]

There shall be provided in the OPE District adequate off-street parking and loading in accordance with the schedule in Article **II**.

§ 112-50.5 **Subdivision plans.**

[Added 2-1-2016 by Ord. No. 2015-22]

For subdivisions in the Office Park Employment District, pursuant to Chapter 98, the developer shall be required to submit an overall concept plan for the entire development area, including, but not limited to, identifying land uses, building locations, architectural style of all structures, parking, driveways, landscaping, screening and proposed pedestrian connections. Said concept plan shall be approved by the Planning Commission. Subdivision plans shall be subject to the approval process set forth in Chapter 98 for major and minor subdivisions.

§ 112-50.6 **Site plan required.**

[Added 2-1-2016 by Ord. No. 2015-22]

A site plan of development must be submitted to the Planning Commission and approved by it whenever any use, or any new use or a change involving structures or site improvements such as grading, parking, etc., is to be established within an OPE District. Said site plan shall show the proposed building location and use, architectural elevations, driveways, parking and loading areas, landscaping, water and sewer facilities, storm drainage facilities and streetlighting, all showing relationships to adjacent development. Speculative buildings may be approved based on the anticipated use or uses in accordance with the district. Parking requirements for speculative buildings shall be determined by the mixed employment standard. Whenever a use or uses are identified, an amended site plan shall be deemed necessary except where 1) there are nonmanufacturing uses involving no new structures, or 2) no site improvements such as parking are required. The site plan shall conform to all specifications and requirements of the OPE District and of Article VI, Construction, Architecture and Design Standards, and Article VII, Improvements, of Chapter 98, Subdivisions of Land and Site Plan Review. Site plans in the OPE District shall be subject to the approval process set forth in Chapter 98 applicable to site plans.

A.

Site plan format. In addition to the above requirements, the site plan shall comply with the plat requirements of Appendix A of Chapter **98**, Subdivision of Land and Site Plan Review.

B.

Site plan fee.

(1)

A fee of \$1,500 shall be paid by the developer for site plan review when submitted to the Planning Commission.

(2)

The fee is payable at the time of submission. Charges will include the cost of review by the Town's employees and consultants. At the conclusion of the review process, if total charges are less than the fee imposed, a refund will be given to the developer, and if more, the developer will be billed for the difference. Fifteen percent will be added to the total charges for the Town's cost of administration and overhead. The rates for charges shall be established from time to time by resolution of the Town Council. Charges will be billed monthly if in excess of the fee imposed as set forth above. If any charges are not paid within 60 days of billing, the Town will withhold further review, approvals and/or issuance of any required permits until paid in full, together with interest at the rate of 1% per month or fraction thereof from the date of billing to the date of payment.

§ 112-50.7 **Prohibited uses.**

[Added 2-1-2016 by Ord. No. 2015-22]

The following uses shall be prohibited in the Office Park Employment District:

A.

Automobile service center.

B.

Commercial and retail uses, except as enumerated.

C.

Mini-storage facilities.

D.

Outside storage of any type/outdoor manufacturing of any type.

E.

Vehicle repair shop.

F.

Vehicle sales lot.

G.

Adult entertainment business.

H.

Tattoo parlor.

I.

Stand-alone bar establishments.

J.

Gas stations.

K.

Prohibited uses as listed under § 109-33 (Wellhead Protection District).

L.

Public utility buildings, including power substations, except for administrative offices.

M.

Upper level or second floor outdoor dining.

N.

Freestanding communications towers.

O.

Chemical product manufacturing, with the exception of finished chemical products to be used for ultimate consumption, including drugs/pharmaceuticals, cosmetics, and soaps.

P.

Concrete, gypsum, and plaster product manufacturing.

Q.

Garbage transfer station.

R.

Paving and roofing materials manufacturing.

S.

Petroleum refining and related industries.

T.

Plastics, and other synthetics and rubber product manufacturing.

U.

Primary metal industries engaged in the smelting and refining of ferrous and nonferrous metals from ore, pig, or scrap; the rolling, drawing, and alloying of metals; the manufacture of castings, forgings, stampings, extrusions, and other basic metal products; and the manufacturing of nails, spikes, and insulated wire and cable. Also includes merchant blast furnaces and by-products or beehive coke ovens.

V.

Pulp and pulp product manufacturing.

W.

Leather manufacturing, to include any process that transforms hides into leather by tanning or curing.

X.

Coating, waterproofing, or otherwise treating fabric.

Y.

Motor vehicle and transportation manufacturing, with the exception of the light manufacture of motor vehicle parts and accessories.

Z.

Stone and cut stone product manufacturing.

AA.

Structural clay and pottery product manufacturing.

BB.

Taxidermist.

CC.

All other prohibited uses set forth by Town Code § **112-12.**

§ 112-50.8 **Performance standards.**

[Added 2-1-2016 by Ord. No. 2015-22]

These regulations are intended to ensure a high-quality environment with regard to health, safety and aesthetics. Establishments must meet all applicable county, state and federal requirements, and Town of Mount Airy regulations.

A.

Manufacturing uses shall not be established without a zoning approval certificate, which shall be accompanied by a certification by a registered engineer or architect indicating that fumes, odors, dirt, vibration or noise produced by the industry will not be detectable at the lot line.

B.

All permitted and conditional uses and accessory activities shall be confined within completely enclosed buildings, with the exception of off-street parking spaces, off-street loading facilities, signs, and recreational facilities.

C.

Truck loading, vehicle storage, and dumpster spaces shall be situated to the rear or side of the building(s). All dumpster areas shall be screened, at minimum, on three sides.

D.

All mechanical equipment, including roof-mounted, shall be enclosed or screened so as to be an integral part of the architectural design.

E.

Truck parking, delivery and unloading areas are not permitted within 100 feet of any residential district.

F.

Automobile parking areas are not permitted within 25 feet of any R District.

G.

Bulk storage of fuel oil, gasoline or liquefied petroleum shall be limited to above-ground tanks no greater than 2,000 gallons, and all such storage shall occur in such a manner as to minimize any possibility of leakage and groundwater contamination. Underground storage shall conform to Town Code § **112-13**.

H.

Heavy-duty diesel vehicles with a gross vehicle weight of over 14,001 pounds shall be restricted from idling on site for no more than five minutes in any sixty-minute period.

I.

The following exemptions shall apply to this section:

(1)

Emergency vehicles performing their emergency duties.

(2)

Vehicles that must idle to operate auxiliary equipment to accomplish the intended use of the vehicles, such as refrigerating or operating a hydraulic lift. The exemption does not apply when the vehicle idling is solely for cabin comfort or to operate nonessential equipment, such as air conditioning, heating, or televisions, except in the case of a safety or health emergency.